UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/C.3/51/14
13 November 1996

ORIGINAL: ENGLISH

Fifty-first session
THIRD COMMITTEE
Agenda item 109

RIGHT OF PEOPLES TO SELF-DETERMINATION

Letter dated 11 November 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I am writing to you in connection with the statement made in the Third Committee by the Permanent Representative of Albania to the United Nations, Mr. Pellumb Kulla, on 6 November 1996 during the consideration of the item entitled "The right of peoples to self-determination".

The representative of Albania has once again abused the debate on this agenda item to manifest that his Government openly interferes into the internal affairs of the Federal Republic of Yugoslavia. Mr. Kulla misrepresents the situation in the Autonomous Province of Kosovo and Metohija, especially the status of the Albanian national minority. He claims that the Albanians in the Autonomous Province of Kosovo and Metohija are a "people" and that they are entitled to the right to self-determination. However, the facts are different. The Republic of Albania is a country of the Albanian people. The Albanians of Kosovo and Metohija are by every definition of recognized international law a national minority. They are granted the highest standards of human and minority rights envisaged by the international legal instruments and political documents, but are not entitled to the right to self-determination. Under the Charter of the United Nations and other international documents, this right belongs only to peoples. Otherwise, the existence of a national minority in sizeable numbers in various countries could entitle them to a claim to the right of self-determination and would bring about chaos not only in Europe but all over the world.

In accordance with the present constitutions of Yugoslavia and Serbia, the Autonomous Province of Kosovo and Metohija is an integral part of the Republic of Serbia and the Federal Republic of Yugoslavia. Numerous institutional changes did not affect the autonomous status of the Autonomous Province of Kosovo and Metohija.

Time and again we have to emphasize that members of the Albanian national minority enjoy equal rights with all other citizens of the Federal Republic of Yugoslavia. In addition, the Province has a very large degree of autonomy. Their individual rights, as well as their collective rights stemming from their status of national minority, are not jeopardized in any way. Recently, a memorandum of understanding has been reached on the normalization of education in the Autonomous Province of Kosovo and Metohija, which was commended internationally, even in Albania. This shows that it is possible to solve any question through dialogue and by political means, despite numerous terrorist acts committed in the Province this year by Albanian extremists and the thinly disguised 'sabre rattling' in the statement of the Permanent Representative of Albania.

In assessing the situation in the Autonomous Province of Kosovo and Metohija, one has to bear in mind that the prerequisite of the realization of the rights of national minorities is, first and foremost, their loyalty towards the country in which they live. That is also the basic position contained in all international documents regulating this matter, such as the Copenhagen Document of the Organization for Security and Cooperation in Europe (OSCE) on human dimension and the Council of Europe Convention on national minorities. However, a large portion of the Albanian national minority persistently boycotts the public life in the Province, the Republic of Serbia and the Federal Republic of Yugoslavia. The underlying reason for the boycott is that the political leaders of this minority are preventing members of the Albanian national minority from exercising their constitutional minority and democratic rights, including the right to vote and cooperate in the conduct of the official census.

Yugoslavia is committed to good-neighbourly relations with all the Balkan countries. However, Albania's policy towards Yugoslavia has not changed during the entire period since the Second World War. Both past-Communist- and present regimes in Tirana have been consistent in their endeavours to dismember the former and present Yugoslavia and steadfast in their support for those forces in the Autonomous Province of Kosovo and Metohija calling for secession of the Province from the Republic of Serbia and the Federal Republic of Yugoslavia. In this connection, we particularly note that the decision of the People's Assembly of the Republic of Albania of 22 October 1991 recognizing the Autonomous Province of Kosovo and Metohija as a sovereign and independent State in contravention of the basic principles contained in the Charter of the United Nations, the OSCE Helsinki Final Act and the Paris Charter and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, has not yet been revoked.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 109.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.